

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**CHRISTIAN A. BERNAL-DIAZ, et al., on
behalf of themselves and all other similarly
situated persons,**

Plaintiffs,

v.

MXD GROUP, INC., et al.,

Defendants.

Civil Action No. 17-13702

ORDER

THIS MATTER having come before the Court by way of Defendant MXD Group Inc. f/k/a Excel Direct Inc.'s ("Defendant" or "MXD") and Plaintiffs Christian A. Bernal-Diaz, Radhames Delrosario-Jimenez, Francis Nunez, Emanuel Sena, Wellington Torres, and Charlton R. Sabina-Bueno on behalf of themselves and all other similarly situated's ("Plaintiffs"), responses¹ to the Court's January 2, 2018 Order to Show Cause as to why this Court has subject matter jurisdiction over this action, ECF No. 3; and it appearing that the Honorable Michael Hammer issued a Report and Recommendation dated May 21, 2018, in which Judge Hammer recommended that this matter be remanded for lack of subject matter jurisdiction, ECF No. 26;

and it appearing that neither Defendants nor Plaintiff have filed any objections to the Report and Recommendation;

and for the reasons set forth in Judge Hammer's Report and Recommendation;

IT IS on this 27th day of June, 2018;

¹ See ECF Nos. 6, 8, 9, 12, 15.

ORDERED that Judge Hammer's Report and Recommendation dated May 21, 2018, is **ADOPTED**; and it is further

ORDERED that this case is remanded to state court for lack of federal subject matter jurisdiction.

/s Madeline Cox Arleo
HON. MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE